



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

DISMISSED WITH PREJUDICE: January 30, 2023

CBCA 7318

INTEGHEARTY WHEELCHAIR VAN SERVICES, LLC,¹

Appellant,

v.

DEPARTMENT OF VETERANS AFFAIRS,

Respondent.

Timothy J. Turner and Jon Perrone of Whitcomb, Selinsky, P.C., Denver, CO, counsel for Appellant.

¹ Appellant filed this appeal, and the Clerk of the Board docketed this appeal, using the name “Integhearty Wheelchair Van Services, LLC.” During the course of litigation, appellant began substituting the name “Integhearty Ambulance Service, LLC” in the case caption in its filings, and its motion to dismiss this appeal is captioned in that name. We note that the contract underlying this appeal was awarded to “Integhearty Ambulance Services, LLC” (with an “s”) but that all contract modifications were issued using the name “Integhearty Wheelchair Van Service, LLC” (without an “s” and sometimes, but not always, with “Integhearty Ambulance Service” added as a “doing business as” name). Despite the name variations that the parties used in different filings and the contract, neither party ever filed a motion requesting a change to the Board’s official caption. The Government, except in an April 2022 motion and a May 2022 reply brief, has used the name “Integhearty Wheelchair Van Services, LLC” in its filings, including as recently as December 2022. In such circumstances, the Board is using the name in the official case caption in this dismissal order.

Kathleen Ramos, Office of General Counsel, Department of Veterans Affairs, Arlington, TX, counsel for Respondent.

LESTER, Board Judge.

ORDER

Appellant, Integhearty Wheelchair Van Services, LLC (Integhearty), filed a motion requesting that the Board dismiss this appeal with prejudice, given that the parties have settled their dispute. Integhearty's motion is granted. This appeal is **DISMISSED WITH PREJUDICE**.

Harold D. Lester, Jr.

HAROLD D. LESTER, JR.
Board Judge